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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,611	07/31/2002	I-Chung Hou	9097-US-PA	6856

31561 7590 03/09/2004

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

FEGGINS, KRISTAL J

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,611

Applicant(s)

HOU ET AL.

Examiner

K. Feggins

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 7-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I, claims 1-6 in Paper No. 4 is acknowledged.

Claims 7-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 4.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2 & 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kashimura et al. (US 5,182,581).

Kashimura et al. disclose the following claimed limitations:

* regarding claim 1, an ink storage unit/an ink tank/ (Abstract, figs 3-8, 19)

* an ink tank/figs 3-8, 19/, defining an inner confinement space limited by at least an inner sidewall, and further provided with an air inlet/252b/ and an ink outlet/nozzles, 203/ the air inlet enabling an external air to enter the confinement space and the ink outlet enabling an ink to be outputted out of the confinement space (col 13, lines 22-40, figs 3-8 & 19);

* an ink storage body/porous member, 251/, received in the confinement space of the ink tank, the ink storage body being comprised of a first end portion approximately close to the air inlet and a second end portion relatively farther from the air inlet (figs 3-8, 19);

* wherein an outer surface of the ink storage body/porous material/ is provided with a plurality of notches that are distributed along an interface between the outer surface of the ink storage body and the inner sidewall of the ink tank, thereby the outer surface of the ink storage body locally does not contact with the inner sidewall of the ink tank (col 7, lines 15-20, figs 3-8, 16 & 17).

* regarding claim 2, wherein the air inlet/252b/ is substantially spaced away from the ink outlet/air exits from the head by way of the nozzles which are within the printhead/ (fig 19).

* regarding claim 4, wherein the ink storage body is formed from a porous material/13/ (col 5, lines 59-65, figs 3-8).

* regarding claim 5, wherein the porous material includes a sponge/foam/ (col 5, lines 59-65, figs 3-8).

* regarding claim 6, wherein the porous material includes a fabric (col 6, lines 62-68).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kashimura et al. (US 5,182,581) in view of Elliot et al. (US 5,671,001).

Kashimura et al. disclose all of the claimed limitations except for the following:

* regarding claim 3, wherein the notches that are respectively formed from circular recesses that run around the outer surface of the ink storage body.

Elliot et al. disclose the following claimed limitation:

* regarding claim 3, wherein the notches that are respectively formed from circular recesses that run around the outer surface of the ink storage body (col 5, lines 24-39, 64-6, col 6, lines 1-8, figs 3 & 6) for the purpose of preventing ink from being pushed out of the orifice of the printhead thereby causing undesired drool of ink.

It would have been obvious at the time of the invention was made to a person having ordinary skill in the art to utilize notches that are respectively formed from circular recesses that run around the outer surface of the ink storage body, taught by Elliot et al. into Kashimura et al. for the purpose of preventing ink from being pushed out of the orifice of the printhead thereby causing undesired drool of ink.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ono et al. (US 6,334,674 B1) disclose an absorber mounted in an ink tank and process for manufacturing this tank. Lin (US 6350026 B1) disclose an ink cartridge having a case, an ink absorbent received therein and a plurality of spaced transverse pressing ribs which extend from the two long sides.

Communication With The USPTO

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Feggins whose telephone number is 571-272-2254. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


K. Feggins
March 1, 2004